

Please amend claims 1, 3-8, 10-15, 17, 19-21, 23, 25-28, 30, 32, 34-36, 38, 39, 41, 43 and 44 as follows without prejudice and disclaimer.

--1. (AMENDED) A dispensing container operable for use with a cigarette package, the cigarette package being operable for storing at least one cigarette and having a wrapper encasing a portion of the cigarette package, comprising:

a1 a body for storing confectionary items, the body having a top portion and a bottom portion, the bottom portion including a tapered edge, the tapered edge operable for inserting the body between the wrapper and the cigarette package; and

a door connected to the top portion of the body and operable to dispense the confectionary items stored in the body.

--3. (AMENDED) The dispensing container as set forth in claim 1, wherein

a2 a length between the lower most portion of the body and the lower most portion of the door is a predetermined amount so that the door can be opened and the confectionary items can be extracted from the body while the body is inserted between the wrapper and the cigarette package.

--4. (AMENDED) The dispensing container as set forth in claim 1, wherein

the cigarette package is constructed of a substantially rigid material and has a flip top.

--5. (AMENDED) The dispensing container as set forth in claim 4, wherein

a length between the upper most portion of the body or the door and the lower most portion of the body is a predetermined amount so that the flip top can be opened and the at least one cigarette can be extracted from the cigarette package while the body is inserted between the wrapper and the cigarette package.

--6. (AMENDED) The dispensing container as set forth in claim 1, wherein

the confectionary items are breath freshening products.

--7. (AMENDED) The dispensing container as set forth in claim 1, wherein

the confectionary items are chewing gum products.

--8. (AMENDED) The dispensing container as set forth in claim 1, wherein

the confectionary items are one of hard and soft candy products.

--10. (AMENDED) The dispensing container as set forth in claim 1, wherein the wrapper is constructed of a flexible plastic material.

A3
--11. (AMENDED) The dispensing container as set forth in claim 1, wherein the cigarette package is constructed of a substantially flexible material.

--12. (AMENDED) The dispensing container as set forth in claim 1, wherein the height of the cigarette package is at least twice the width of the cigarette package.

--13. (AMENDED) The dispensing container as set forth in claim 1, wherein the width of the cigarette package is greater than the height of the cigarette package.

--14. (AMENDED) The dispensing container as set forth in claim 1, wherein the body includes a first side and a second side, and further comprising:
a second door, the door being located on the first side of the body and the second door being located on the second side of

the body, each door operable to dispense the confectionary items stored in the body.

--15. (AMENDED) The dispensing container as set forth in claim 1, wherein the body includes a first side and a second side, and further comprising:

a3 a first chamber in the body for storing the confectionary items;

a second door; and

a second chamber in the body, the door being located on the first side of the body and operable to dispense the confectionary items stored in the first chamber and the second door being located on the second side of the body and operable to dispense items stored in the second chamber.

a4 --17. (AMENDED) A dispensing container operable for use with a cigarette package, the cigarette package being operable for storing at least one cigarette and having a wrapper encasing a portion of the cigarette package, comprising:

a body for storing confectionary items, the body having a top portion and a bottom portion, the bottom portion including a tapered edge, the tapered edge operable for inserting the body between the wrapper and the cigarette package; and

94
a door connected to the top portion of the body and operable to dispense the confectionary items stored in the body, a length between the lower most portion of the body and the lower most portion of the door being a predetermined amount so that the confectionary items can be extracted from the body while the body is inserted between the wrapper and the cigarette package.

25
--19. (AMENDED) The dispensing container as set forth in claim 17, wherein the confectionary items are breath freshening products.

--20. (AMENDED) The dispensing container as set forth in claim 17, wherein the confectionary items are chewing gum products.

--21. (AMENDED) The dispensing container as set forth in claim 17, wherein the confectionary items are one of hard and soft candy products.

26
--23. (AMENDED) The dispensing container as set forth in claim 17, wherein the wrapper is constructed of a flexible plastic material.

--25. (AMENDED) A dispensing container operable for use with a cigarette package, the cigarette package being operable for storing at least one cigarette and having a flip top and a wrapper encasing a portion of the cigarette package, comprising:

an a body for storing confectionary items, the body having a top portion and a bottom portion, the bottom portion including a tapered edge, the tapered edge operable for inserting the body between the wrapper and the cigarette package; and

a door connected to the top portion of the body and operable to dispense the confectionary items stored in the body, a length between the upper most portion of the body or the door and the lower most portion of the body being a predetermined amount so that the flip top of the cigarette package can be opened and the at least one cigarette can be extracted from the cigarette package while the body is inserted between the wrapper and the cigarette package.

--26. (AMENDED) The dispensing container as set forth in claim 25, wherein

the confectionary items are breath freshening products.

--27. (AMENDED) The dispensing container as set forth in claim 25, wherein

the confectionary items are chewing gum products.

27
--28. (AMENDED) The dispensing container as set forth in claim 25, wherein
the confectionary items are one of hard and soft candy products.

28
--30. (AMENDED) The dispensing container as set forth in claim 25, wherein
the wrapper is constructed of a flexible plastic material.

29
--32. (AMENDED) A dispensing container operable for use with a cigarette package, the cigarette package being operable for storing at least one cigarette and having a flip top and a wrapper encasing a portion of the cigarette package, comprising:
a body for storing confectionary items, the body having a top portion and a bottom portion, the bottom portion including a tapered edge, the tapered edge operable for inserting the body between the wrapper and the cigarette package;
a hinge; and
a door connected to the top portion of the body by the hinge and operable to dispense the confectionary items stored in the body,
a length between the uppermost portion of the body or the door and the lower most portion of the body being a predetermined amount so that the flip top of the cigarette

a9 package can be opened and the at least one cigarette can be extracted from the cigarette package while the body is inserted between the wrapper and the cigarette package, and

length between the lower most portion of the body and the lower most portion of the door being a predetermined amount so that the confectionary items can be extracted from the body while the body is inserted between the wrapper and the cigarette package.

duo --34. (AMENDED) The dispensing container as set forth in claim 32, wherein

the confectionary items are breath freshening products.

--35. (AMENDED) The dispensing container as set forth in claim 32, wherein

the confectionary items are chewing gum products.

--36. (AMENDED) The dispensing container as set forth in claim 32, wherein

the confectionary items are one of hard and soft candy products.

dui --38. (AMENDED) The dispensing container as set forth in claim 32, wherein

[NYC] 396246.1

the wrapper is constructed of a flexible plastic material.

--39. (AMENDED) A dispensing container operable for use with a cigarette package, the cigarette package being operable for storing at least one cigarette and having a flip top and a wrapper encasing a portion of the cigarette package, comprising:

all a body for storing confectionary items, the body operable for insertion between the wrapper and the cigarette package, the body defined by

a top wall,

a pair of side walls,

a bottom wall,

a front wall having a first lower tapered edge and

a back wall having a second lower tapered edge;

a hinge; and

a door connected to the body by the hinge and operable to dispense the confectionary items stored in the body,

a length between the top wall and the bottom wall being a predetermined amount so that the flip top of the cigarette package can be opened and the at least one cigarette can be extracted from the cigarette package while the body is inserted between the wrapper and the cigarette package, and

a length between the bottom wall and the lower most portion of the door being a predetermined amount so that the

A11
confectionary items can be extracted from the body while the body is inserted between the wrapper and the cigarette package.

A12
--41. (AMENDED) A dispensing container operable for use with a cigarette package, the cigarette package being operable for storing at least one cigarette and having a wrapper encasing a portion of the cigarette package, comprising:

a body for storing confectionary items, the body having a top portion and a bottom portion; and
a door connected to the top portion of the body and operable to dispense the confectionary items stored in the body,

a length between the lower most portion of the body and the lower most portion of the door being a predetermined amount so that the confectionary items can be extracted from the body while the body is inserted between the wrapper and the cigarette package.

A13
--43. (AMENDED) A dispensing container operable for use with a cigarette package, the cigarette package being operable for storing at least one cigarette and having a flip top and a wrapper encasing a portion of the cigarette package, comprising:

a body for storing confectionary items, the body having a top portion and a bottom portion; and

a door connected to the top portion of the body and operable to dispense the confectionary items stored in the body,

a length between the upper most portion of the body or the door and the lower most portion of the body being a predetermined amount so that the flip top of the cigarette package can be opened and the at least one cigarette can be extracted from the cigarette package while the body is inserted between the wrapper and the cigarette package.

213
--44. (AMENDED) A dispensing container operable for use with a cigarette package, the cigarette package being operable for storing at least one cigarette and having a flip top and a wrapper encasing a portion of the cigarette package, comprising:

a body for storing confectionary items, the body having a top portion and a bottom portion; and

a door connected to the top portion of the body and operable to dispense the confectionary items stored in the body,

a length between the upper most portion of the body or the door and the lower most portion of the body being a predetermined amount so that the flip top of a cigarette package can be opened and the at least one cigarette can be extracted from the cigarette package while the body is inserted between the wrapper and the cigarette package, and